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CHIEF COUNSEL
RULES DOCKET

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Sender: "Haley Frank" <fhaley@has.ci.houston.tx.us>
To: 9-NPRM-CMTS 1999 AUG 11 P 12: 3b
CC: "chris.tebo@airportnet.org" <chris.tebo@airportnet.org>
Priority: Normal
Subject: Response to NPRM (Houston Airport System) FAA-99-5924-18

Attached is the Houston Airport System response to NPRM for Y2K.
<<FAAY2K.doc>>



RFC822.TXT



FAAY2K.doc

U.S. Department of Transportation Dockets
Docket No. FAA-19995924
400 Seventh Street, SW, Room Plaza 401
Washington DC 20590

August 3, 1999

Via Electronic Mail

Dear Sirs:

Regarding the Notice of Proposed Rulemaking (NPRM) for 14 CFR Part 139, Docket No. FAA-19995924; SFAR No. **85**, **RIN 2120-AG83**, Year 2000 Airport Safety Inspections, the Houston Airport System (HAS) is submitting the following comments:

It is the understanding of HAS that the intention of the proposed rulemaking is to require operational tests of systems related to FAR 139 to ensure safe operations of the 566 certificated airports starting January 1, 2000, and to reduce the time allowed to repair emergency response equipment.

Since HAS plans to perform a certain number of operational tests for systems on our critical systems list, we support the intent of the proposed rule with regard to testing. However, considering the time and expense HAS has incurred during the **Y2K** project, we would not support extensive protracted testing of systems that were previously successfully tested by HAS, and certified by vendors as compliant.

We do have a concern regarding the reduction of time allowed to repair emergency response equipment. It appears that the FAA is operating on the assumption that any particular unit failure could result in nationwide failures of the same type of equipment. Based on information received by HAS during the inventory and assessment of risk phase of our **Y2K** project, we consider the probability of **Y2K** failure of any of our emergency response equipment as nil.

In the unlikely event of failure during operational testing, we feel strongly that eliminating the 48 hour grace period, and immediately lowering an affected airport index, is unnecessary. Airports should have the opportunity, under the current regulation, to correct equipment malfunctions, whether **Y2K** related or not. To assume that equipment failure is **Y2K** related doesn't seem prudent, and to further assume that **Y2K** problems, if realized, cannot be resolved in 48 hours is unrealistic. Therefore, we recommend that the 48 hour grace period be left in place, and if **Y2K** failures occur, and it appears that the problem cannot be resolved in 48 hours, then lower the index to the appropriate level.

Should you need more information concerning our comments, please call me at 281/233-1835 or by email at fhaley@has.ci.houston.tx.us.

Frank Haley

cc: Richard M. Vacar

Hardy **Acree**

Carl Holmes

Meg **Lonero**

Mary Case

Christopher Tebo (AAAE)